

**REMARKS**

Applicant thanks the Examiner for the careful consideration given to this application and for the helpful interview conducted on November 12, 2009 (summarized below). Reconsideration and allowance are now respectfully requested in view of the amendment above and the following remarks. Claims 1-4, 6-16, 33-41 and 45-46 are pending in this application. Claims 1, 11, 16, 33 and 38 are independent claims. Claims 1, 2, 7, 8, 10-13, 16, 33, 34, 36, 38, 39, and 41 are amended; it is respectfully submitted that all of these amendments are supported by the specification as filed. Claims 5, 17-32 and 42-44 were previously cancelled without prejudice or disclaimer.

**Summary of Interview of November 12, 2009**

As noted above, a (telephonic) interview was conducted on November 12, 2009, for which Applicant again expresses gratitude. The interview was conducted between (Primary) Examiner Minh Dinh and Applicant's undersigned representative. The two topics of discussion were the rejections under 35 U.S.C. § 112, first paragraph, and the rejections based on cited references, particularly Moy (see below). Regarding the former, the Examiner explained that the rejections were based on allegedly incorrect disclosure at paragraphs 45-47 of the specification as filed (paragraphs 51-55 of the corresponding published application) and explained why he believed this disclosure to be incorrect. He also offered helpful suggestions regarding these rejections. Regarding the latter (i.e., the art-based rejections), the Examiner pointed out that the cited art could be overcome by specifying that there are at least three multicast channels associated with respective multicast addresses and that two of them are used for regular start-up messages, such as hello packets or LSA summaries (with a third multicast channel for use in sending jump-start messages), similar to the claims submitted in Applicant's response filed on June 25, 2008. The undersigned stated that Applicant would consider the Examiner's suggestions.

**Allowable Subject Matter**

Applicant notes with appreciation the Examiner's indication that, subject to the rejection under 35 U.S.C. § 112, first paragraph, Claim 16 would be allowable over the prior art of record.

**Claim Rejections under 35 U.S.C. § 112**

Claims 1-16, 35, 40 and 45 stand rejected under 35 USC § 112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed for at least the following reasons.

First, it is noted that Applicant does not agree with these rejections, as will be further discussed below. Nevertheless, Applicant has amended Claims 1 and 16 to remove "an authenticity of the jump-start message is validated," thus removing the claim language cited in the rejections of Claims 1-16.

Second, Claims 35 and 40 are rejected based on the presence of the language, "signing or encrypting the jump-start message using a key." First, Applicant notes that "signing" a message does not necessarily mean that the message will be properly validated upon receipt. The disclosure in Applicant's specification surely supports the use of "signing or encrypting the jump-start message using a key" (or similarly, "securing" a jump-start message), as found in the claims. The alleged flaws cited by the Office Action refer only to what a receiving node does in attempting to validate a digitally signed jump-start message and are, hence, not needed for enablement of the securing/encrypting/signing elements of the claims.

Also with respect to this, Applicant notes that, even if the cited portions of the specification are incorrect, there is still sufficient support for validation-related elements. First, the specification, in addition to digital signature-based methods, also discussed other methods of securing and validating messages (see, e.g., paragraphs 4-8, 12, 33, and 34, as well as other portions, of the specification as originally filed (paragraphs 6-10, 14, 35, and 36 are the corresponding paragraphs of the published application)).

Second, digital signature techniques, including validation, are well-known, as discussed during the interview. As noted, e.g., in M.P.E.P. § 2164.05(b), the "litmus test" for determining enablement rests upon what would be known to persons skilled in the art. Because digital signature techniques are well-known, a person skilled in the art would know how to properly

implement such a system. Therefore, the cited portion of the specification was not even necessary for enablement; Applicant could merely have made a general statement that digital signature techniques may be used, rather than providing the degree of detail found in the cited portion of the specification. Hence, this entire issue is respectfully submitted to be of no consequence.

Therefore, Applicant respectfully requests that the rejections of Claims 1-16, 35, 40 and 45 under 35 U.S.C. § 112 be withdrawn.

### **Claim Rejections under 35 U.S.C. § 102**

Claims 1, 3, 6, 33, 35, 37-38, 40 and 45-46 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Moy (“RFC 2328 – OSPF Version 2”) (hereinafter “Moy”).

Claims 1, 3-4, 6, 33, 35, 37-38, 40 and 45-46 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Murphy et al. (“Digital Signature Protection of the OSPF Routing Protocol”) (hereinafter “Murphy”), as evidenced by Moy.

Claims 1, 3-4, 6-8, 10-12 and 33, 35-38, 40-41 and 45-46 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0016926 to Nguyen et al. (hereinafter “Nguyen”) in view of Moy.

These rejections are respectfully traversed for at least the following reasons.

As noted above, all of the independent claims (Claims 1, 16, 33 and 38) have been amended, and Claim 11 has been amended to be independent. Claim 1, as amended, recites in part, “at least three multicast channels having respective associated multicast addresses, wherein at least first and second multicast channels of the at least three multicast channels are for the exchange of regular start-up messages including at least a hello packet or a link state advertisement (LSA) summary,” “monitoring a third multicast channel of the at least three multicast channels, the third multicast channel for sending jump-start messages by a node to other nodes of the plurality of nodes when monitoring by the node has not detected any messages from said other nodes on said third multicast channel,” and “sending a jump-start message on said third multicast channel from a start node that has not detected any messages on said third multicast channel by said monitoring, wherein the jump-start message is secured by the start node and the start node starts an operation or an application.” Applicant notes that these

amendments have been made for the purpose of expediting prosecution and are not intended to indicate concurrence with the rejections in the Office Action (on the contrary, Applicant respectfully traverses these rejections, and these amendments are being made without prejudice to attempt to overcome the rejections in the future). Applicant respectfully submits that, as discussed during the interview, the cited references fail to teach or suggest, either alone or in combination, the use of “at least three multicast channels having respective associated multicast addresses, wherein at least first and second multicast channels of the at least three multicast channels are for the exchange of regular start-up messages including at least a hello packet or a link state advertisement (LSA) summary,” and that a third one of the multicast channels is used for jump-start messages, as claimed. For at least these reasons, Claim 1 is allowable over the cited references.

Applicant further notes that the other independent claims (Claims 11, 16, 33, and 38), as amended, contain similar recitations and are thus allowable for at least the same reasons.

Furthermore, given that the other claims rejected under 35 U.S.C. § 102 incorporate one of these independent claims, those claims, too, are allowable over the cited references.

Therefore, Applicant respectfully requests that these rejections of Claims 1, 3-4, 6, 33, 35, 37-38, 40-41 and 45-46 under 35 U.S.C. § 102 be withdrawn.

#### **Claim Rejections Under 35 U.S.C. § 103**

Claims 2, 34 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moy as applied to Claims 1, 33 and 38.

Claims 2, 34 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murphy in view of Moy as applied to Claims 1, 33 and 38.

Claims 2, 34 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nguyen in view of Moy as applied to Claims 1, 33 and 38.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nguyen in view of Moy as applied to Claim 7 and further in view of U.S. Patent No. 6,085,320 to Kaliski, Jr. (hereinafter “Kaliski”).

Claims 13-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nguyen in view of Moy as applied to Claim 1 and further in view of U.S. Patent No. 7,103,185 to Srivastava et al. (hereinafter “Srivastava”).

These rejections are respectfully traversed for at least the following reasons.

All of these claims depend from the claims addressed above, where it was discussed that Moy and the other cited references fail to teach or suggest the elements of the amended independent claims. None of the further cited references cures any of the deficiencies of Moy, as outlined above. Therefore, Applicant respectfully requests that the rejections of Claims 2, 9, 13-15, 34, 35 and 39 under 35 U.S.C. § 103 be withdrawn.

#### **Disclaimer**

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

**CONCLUSION**

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 27592-00454-US from which the undersigned is authorized to draw.

Dated: January 7, 2010

Respectfully submitted,

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